

AMENDMENTS TO CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

Claims 1-12 (canceled)

Claim 13. (Previously Presented) A receiving modem that is configured to perform transmission and reception of signals with a transmitting modem, the receiving modem comprising:

a transmitter that is configured to transmit a facsimile control signal;

a detector that is configured to detect a response signal to the facsimile control signal transmitted from the transmitting modem;

a controller that is configured to communicate with the transmitting modem based on the communication procedure specified in ITU Recommendation V.8, when a CM signal is detected as the response signal, and to data communicate with the transmitting modem, when a signal used in data communication is detected as the response signal.

Claim 14. (Previously Presented) The receiving modem according to claim 13, wherein the facsimile control signal is a DIS signal specified in ITU Recommendation T.30, and the controller executes data communications with the transmitting modem based on the data communication procedure specified in ITU Recommendation V.22, when a SI signal is detected as the response signal.

Claim 15. (Previously Presented) The receiving modem according to claim 13, wherein the facsimile control signal is a DIS signal specified in ITU Recommendation

T.30, and the controller executes data communication with the transmitting modem based on the data communication procedure specified in ITU Recommendation V.32, when an AA signal is detected as the response signal.

Claim 16. (Previously Presented) A receiving modem that is configured to perform transmission and reception of signals with a transmitting modem, the receiving modem comprising:

- a transmitter that is configured to transmit a data communication signal;
- a detector that is configured to detect a response signal to the data communication signal transmitted from the transmitting modem;
- a controller that is configured to communicate with the transmitting modem based on the communication procedure specified in ITU Recommendation V.8, when a CM signal is detected as the response signal.

Claim 17. (Previously Presented) The modem according to claim 16, wherein the data communication signal is an AC signal specified in at least one of ITU Recommendation V.22 and V.23.

Claim 18. (Previously Presented) A communication control apparatus provided with a receiving modem that is configured to perform transmission and reception of signals with a transmitting modem, the receiving modem comprising:

- a transmitter that is configured to transmit a facsimile control signal;
- a detector that is configured to detect a response signal to the facsimile control signal transmitted from said transmitting modem;

a controller that is configured to communicate with the transmitting modem based on the communication procedure specified in ITU Recommendation V.8, when a CM signal is detected as the response signal, and to data communicate with the transmitting modem, when a signal used in data communication is detected as the response signal.

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Claim 19. (Previously Presented) The communication control apparatus according to claim 18, wherein the facsimile control signal is a DIS signal specified in ITU Recommendation T.30, and the controller executes communications with the transmitting modem based on the data communication procedure specified in ITU Recommendation V.22, when a SI signal is detected as the response signal.

Claim 20. (Previously Presented) The communication control apparatus according to claim 18, wherein the facsimile control signal is a DIS signal specified in ITU Recommendation T.30, and the controller executes communications with the transmitting modem based on the data communication procedure specified in ITU Recommendation V.32, when an AA signal is detected as the response signal.

Claim 21. (Previously Presented) A communication control apparatus provided with a receiving modem that is configured to perform transmission and reception of signals with a transmitting modem, the receiving modem comprising:

- a transmitter that is configured to transmit a data communication signal;
- a detector that is configured to detect a response signal to the data communication signal transmitted from the transmitting modem;

a controller that is configured to communicate with the transmitting modem based on the communication procedure specified in ITU Recommendation V.8, when a CM signal is detected as the response signal.

Claim 22. (Previously Presented) The communication control apparatus according to claim 21, wherein the data communication signal is an AC signal specified in at least one of ITU Recommendation V.22 and V.23.

Claim 23. (Previously Presented) A method for controlling a communication having a receiving modem that is configured to perform a transmission and reception of signals with a transmitting modem, the method comprising:

transmitting a facsimile control signal;

detecting a response signal to the facsimile control signal transmitted from the transmitting modem;

communicating with the transmitting modem based on the communication procedure specified in ITU Recommendation V.8, when a CM signal is detected as the response signal, and data communicating with the transmitting modem, when a signal used in data communication is detected as the response signal.

Claim 24. (Previously Presented) The method for controlling a communication having the receiving modem according to claim 23, wherein the facsimile control signal is a DIS signal specified in ITU Recommendation T.30 and the communicating executes communications with the transmitting modem based on the data communication

procedure specified in ITU Recommendation V.22, when a SI signal is detected as the response signal.

Claim 25. (Previously Presented) The method for controlling a communication having the receiving modem according to claim 23, wherein the facsimile control signal is a DIS signal specified in ITU Recommendation T.30 and the communicating executes communications with the transmitting modem based on the data communication procedure specified in ITU Recommendation V.32, when an AA signal is detected as the response signal.

Claim 26. (Previously Presented) A method for controlling a communication having a receiving modem that is configured to perform transmission and reception of signals with a transmitting modem, the method comprising:

transmitting a data communication signal;

detecting a response signal to the data communication signal transmitted from the transmitting modem;

communicating with the transmitting modem based on the communication procedure specified in ITU Recommendation V.8, when a CM signal is detected as the response signal.

Claim 27. (Previously Presented) The method for controlling a communication having the receiving modem according to claim 26, wherein the data communication signal is an AC signal specified in at least one of ITU Recommendation V.22 and V.23.

Claim 28. (New) A receiving modem that is configured to perform transmission and reception of signals with a transmitting modem, the receiving modem comprising:

a transmitter that is configured to transmit, as a facsimile control signal, a DIS signal specified in ITU Recommendation T.30;

a detector that is configured to detect a response signal to the facsimile control signal transmitted from the transmitting modem;

a controller that is configured to communicate with the transmitting modem based on the communication procedure specified in ITU Recommendation V.8 when a CM signal is detected as the response signal, to facsimile communicate with the transmitting modem based on the communication procedure specified in ITU Recommendation T.30 when a DCS signal specified in ITU Recommendation T.30 is detected as the response signal, and to data communicate with the transmitting modem when a signal used in data communication is detected as the response signal.

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Claim 29. (New) The receiving modem according to claim 28, wherein the controller executes data communications with the transmitting modem based on the data communication procedure specified in ITU Recommendation V.22, when a SI signal is detected as the response signal.

Claim 30. (New) The receiving modem according to claim 28, wherein the controller executes data communication with the transmitting modem based on the data communication procedure specified in ITU Recommendation V.32, when an AA signal is detected as the response signal.

Claim 31. (New) A receiving modem that is configured to perform transmission and reception of signals with a transmitting modem, the receiving modem comprising:

a transmitter that is configured to transmit, as a data communication signal, an AC signal specified in at least one of Recommendation V.22 and V.23;

a detector that is configured to detect a response signal to the data communication signal transmitted from the transmitting modem;

a controller that is configured to communicate with the transmitting modem based on the communication procedure specified in ITU Recommendation V.8 when a CM signal is detected as the response signal, to data communicate with the transmitting modem when a signal used in data communication is detected as the response signal and to set a telephone mode for voice communication when a response is not detected.

Claim 32. (New) A communication control apparatus provided with a receiving modem that is configured to perform transmission and reception of signals with a transmitting modem, the receiving modem comprising:

a transmitter that is configured to transmit, as a facsimile control signal, a DIS signal specified in ITU Recommendation T.30;

a detector that is configured to detect a response signal to the facsimile control signal transmitted from said transmitting modem;

a controller that is configured to communicate with the transmitting modem based on the communication procedure specified in ITU Recommendation V.8, when a CM signal is detected as the response signal, to facsimile communicate with the transmitting

modem based on the communication procedure specified in ITU Recommendation T.30 when a DCS signal specified in ITU Recommendation T.30 is detected as the response signal, and to data communicate with the transmitting modem, when a signal used in data communication is detected as the response signal.

Claim 33. (New) The communication control apparatus according to claim 32, wherein the controller executes communications with the transmitting modem based on the data communication procedure specified in ITU Recommendation V.22, when a SI signal is detected as the response signal.

Claim 34. (New) The communication control apparatus according to claim 33, wherein the controller executes communications with the transmitting modem based on the data communication procedure specified in ITU Recommendation V.32, when an AA signal is detected as the response signal.

Claim 35. (New) A communication control apparatus provided with a receiving modem that is configured to perform transmission and reception of signals with a transmitting modem, the receiving modem comprising:

a transmitter that is configured to transmit, as a data communication signal, an AC signal specified in at least one of Recommendation V.22 and V.23;

a detector that is configured to detect a response signal to the data communication signal transmitted from the transmitting modem;

a controller that is configured to communicate with the transmitting modem based on the communication procedure specified in ITU Recommendation V.8, when a CM

signal is detected as the response signal, to data communicate with the transmitting modem when a signal used in data communication is detected as the response signal, and to set a telephone mode for voice communication when a response is not detected.